

DECLARATION IN SUPPORT OF PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**BASEBALL TRAINING SYSTEM AND METHOD**

described and claimed

☒ in the attached specification;  
\_\_\_\_\_ in the specification filed \_\_\_\_\_, as U.S. Application  
Serial No. \_\_\_\_\_ and as amended \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I acknowledge an assignment of my entire interest in the above invention to SHOOT-A-WAY, INC., and I hereby direct that all communications concerning this application be sent to the Assignee's Attorneys:

**JACOX, MECKSTROTH & JENKINS**  
2310 Far Hills Building  
Dayton, Ohio 45419-1575  
A.C. 937: 298-2811

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first or sole Inventor: John G. Joseph

Inventor's signature  Date: 3/9/04

Residence: 3305 County Road 47, Upper Sandusky, OH 43352

Citizenship: USA

Post Office Address: c/o: Shoot-A-Way, Inc.  
3305 County Road 47  
Upper Sandusky, OH 43351

Docket No. SHO 005 P2

POWER OF ATTORNEY

Whereas SHOOT-A-WAY, INC., a corporation of the State of Ohio, having a place of business at 3305 County Road 47, Upper Sandusky, Ohio 43351 is the owner by assignment of the entire right, title and interest in and to United States Patent Application entitled BASEBALL TRAINING SYSTEM AND METHOD

(Docket SHO 005 P2)

and of the inventions described and claimed therein;

SHOOT-A-WAY, INC. hereby appoints:

Matthew R. Jenkins  
Alan F. Meckstroth

Customer No. 34,232  
Reg. No. 22,607

its attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to: JACOX, MECKSTROTH & JENKINS, 2310 Far Hills Building, Dayton, Ohio 45419-1575. Address all telephone calls to A.C. 937: 298-2811.

SHOOT-A-WAY, INC.

By

Its

Date

  
Pres

3/9/04

Serial No.

Filed

ASSIGNMENT

WHEREAS, I/we John G. Joseph of Upper Sandusky, Wyandot County, Ohio, invented certain new and useful (Docket SHO 005 P2) BASEBALL TRAINING SYSTEM AND METHOD for which I/we executed an application for letters patent of the United States, on even date herewith;

AND WHEREAS, SHOOT-A-WAY, INC. a corporation of the State of Ohio, with a place of business at 3305 County Road 47, Upper Sandusky, Ohio 43351, hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said application and the inventions therein disclosed and any letters patent that may issue thereon;

AND WHEREAS, it is the intent of the Assignor to assign all rights, including but not limited to all substantive rights to the above referenced patent application to the Assignee;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt whereof is hereby acknowledged, I/we hereby sell, assign and transfer unto said Assignee, its successors and assigns, the entire right, title and interest in and to said application and any divisions or continuations thereof, and the inventions therein disclosed, and any improvements thereon, and any patent or patents that may be issued or reissued thereon, and I/we hereby authorize and request the Commissioner of Patents and Trademarks to issue any letters patent thereon, and reissues thereof, to said Assignee, its successors and assigns; and I/we hereby authorize said Assignee, its successors and assigns, to file in its own name applications for patent in foreign countries in connection with the inventions hereby transferred, under the International Convention, the European Patent Convention and the Patent Cooperation Treaty, claiming the priority of said United States application or otherwise, and to secure in its own name the patent or patents issued thereon; and I/we hereby agree that, upon request, I/we will sign all papers, and make all rightful oaths, and do all acts which said Assignee, its successors or assigns, may consider necessary in connection with said United States application, and in connection with any other United States or foreign applications that may be filed in connection with said inventions, and with any improvements thereon, and in connection with any patents issued or reissued thereon.

IN TESTIMONY WHEREOF, I/we hereunto set my/our hand and seal this 9th day of March, 2004.

  
John G. Joseph

State of Ohio

County of Wyandot

)  
) ss  
)

On this 9th day of March, 2004, before me a Notary Public in and for the above County and State, personally appeared the above named John G. Joseph personally known to me, and acknowledged the execution of the foregoing assignment as a free act and deed for the purpose herein set forth.

  
Notary Public



**KELLEY PARK**  
Notary Public - State of Ohio  
My Commission Expires July 19, 2005